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November 4, 2011

VIA EMAIL

The Honorable Robert D. Drain
United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: DPH Holdings Corp.

Dear Judge Drain:

Yesterday, counsel for several of the individual defendants in the adversary proceedings brought by DPH Holdings Corp. (the "Remaining Adversary Proceedings") met telephonically to discuss issues relating to these cases, and specifically the refusal of counsel for DPH Holdings Corp. ("Butzel") to circulate the draft procedures order referenced in her letter to the Court, dated October 31, 2011. As only some of the defendants in the Remaining Adversary Proceedings were on the call yesterday, the group on the phone determined they could speak for themselves, but neither speak nor act for those defendants who were not represented on the call. We have been asked by counsel who participated on the call to write to the court regarding these matters.

In the first instance, the attorneys who participated in the call are concerned that their individual clients are being unduly prejudiced by the refusal of Butzel to circulate the form of order it has drafted despite numerous requests that it do so. Nothing this Court has said suggests that Butzel has been authorized to "hide the ball," until such time as the defendants in the Remaining Adversary Proceedings organize themselves to Butzel's liking.

In contrast, counsel who participated in the conference call yesterday have authorized us to advise the Court that such counsel will undertake to coordinate their comments to the draft order prepared by Butzel, once counsel have been afforded the opportunity to review the proposed draft with their respective clients.

Finally, counsel who participated in the call yesterday urge the Court to direct Butzel (a) to deliver immediately the form of proposed order to counsel for the defendants in the

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Remaining Adversary Proceedings for review, and (b) work with the counsel for the defendants in the Remaining Adversary Proceedings to resolve disagreements that may arise with respect to such draft.

Thank you for your consideration.

Respectfully,

Ira L. Herman

A handwritten signature in black ink, appearing to read 'Ira L. Herman', is written over the typed name. The signature is stylized with a large loop at the end.

cc: Cynthia J. Haffey
Counsel for certain preference defendants